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10/618,749	07/15/2003	Yasuo Mutsuro	500.42938X00	6931

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EXAMINER

YODER III, CHRISS S

ART UNIT	PAPER NUMBER
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2622

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/618,749	Applicant(s) MUTSURO ET AL.	
	Examiner Chriss S. Yoder, III	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10 and 16-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10 and 16-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1, 6, and 10 have been considered but are moot in view of the new ground(s) of rejection. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Claim Objections

Claim 17 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. All of the limitations recited in claim 17, are present in claim 6, from which claim 17 depends, and therefore, fails to further limit the invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 8, 10, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. (US Patent # 6,963,358) in view of Needham (US Patent # 7,248,285).

2. In regard to **claims 1 and 10**, note Cohen discloses the use of a camera system having a portable device and a camera (figure 6c: 10" and 100c), said portable device comprising a receiver unit to receive image data photographed by the camera (column 9, lines 12-43 and figure 3c: 168), a writer unit to write the received image data in a memory medium (column 9, lines 12-43 and figure 3c: 110), a memory unit (column 9, lines 12-43 and figure 3c: 114), and a transmitter unit to automatically transmit a capture signal to the camera without user input (column 9, lines 12-43, column 15, lines 1-30, and figure 3c: 190), said camera comprising a receiver unit to receive the capture signal from the portable device (column 9, lines 12-43 and column 15, lines 1-30), an image pick-up unit to start image pick-up operation when receiving the capture signal (column 9, lines 12-43 and column 15, lines 1-30), and a transmitter unit to transmit the photographed image data to the portable device (column 9, lines 12-43 and column 15, lines 1-30).

Therefore, it can be seen that Cohen fails to explicitly disclose that the memory unit stores an ID for identification of the portable device and transmitting the ID to the camera at intervals of a constant time. In analogous art, Needham discloses the use of a memory unit that stores an ID for identification of a device and transmitting the ID to a camera at intervals of a constant time (column 2, lines 24-35 and column 2, line 59 – column 3, line 10). Needham teaches that the use of a memory unit that stores an ID for identification of a device and transmitting the ID to a camera at intervals of a constant time is preferred in order to increase the distance that the ID information can be read by the camera (column 2, line 59 – column 3, line 10). Therefore, it would have

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been obvious to one of ordinary skill in the art to modify the Cohen device such that the memory unit stores an ID for identification of the portable device and transmitting the ID to the camera at intervals of a constant time in order to increase the distance that the ID information can be read by the camera, as suggested by Needham.

3. In regard to **claim 8**, note Cohen discloses the use of a shutter unit which indicates timing to be photographed and transmits said capture signal to said camera according to the indication of the timing to be photographed (column 9, lines 12-43, column 15, lines 1-30; and in combination with Needham as discussed above, the capture signal is considered to include the ID).

4. In regard to **claims 18 and 20**, note Chiang discloses the use of a user operation stops said portable device from transmitting said ID to said camera at intervals of a constant time (column 7, lines 2-11, by turning off the portable device, it is considered that the transmission is stopped; and in combination with Needham as discussed above, the capture signal is considered to include the ID).

5. Claims 2-7, 16-17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. (US Patent # 6,963,358) in view of Needham (US Patent # 7,248,285), and further in view of Myers (US PGPub # 2002/0101519).

6. In regard to **claim 2**, note the primary reference of Cohen in view of Needham discloses the use of a camera system having a portable device and a camera, as claimed in claim 1 above. Therefore, it can be seen that the primary reference fails to disclose that said transmitter unit of the camera transmits said photographed image

data and said ID to a server, and that the server receives said image data and said ID from said camera and stores said data and ID as associated with each other. In analogous art, Myers discloses the use of a transmitter unit of a camera that transmits photographed image data and an ID to a server, and that the server receives said image data and said ID from said camera and stores said data and ID as associated with each other (paragraphs 0023-0026). Myers teaches that the transmission of the image data and ID from the camera to a server are preferred in order to allow the user to access the photographs and order prints from a remote location at a later time (paragraphs 0027-0028). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device to include the transmission of the image data and ID from the camera to a server in order to allow the user to access the photographs and order prints from a remote location at a later time, as suggested by Myers.

7. In regard to **claim 3**, note Myers discloses the use of a terminal apparatus (paragraph 0027 and figure 1: 9), said terminal apparatus includes an input unit to enter an ID for identifying said portable device (paragraph 0028 and figure 8), a transceiver unit to transmit the entered ID to said server and to receive image data from said server (paragraph 0028), and an output unit to output the received image data (paragraph 0028, the images are displayed), and said server includes a transceiver unit to receive the ID for identifying said portable device from the terminal apparatus and to transmit image data to the terminal apparatus (paragraph 0028), and a search unit to search for the image data on the basis of the received ID (paragraph 0028, the associated images are retrieved).

8. In regard to **claim 4**, note Myers discloses that said server includes a transceiver unit to receive said ID and a password corresponding to the ID from a computer connected via a network and to transmit said image data corresponding to said ID via the network to the computer (paragraphs 0027-0028, figure 1: 9, and figure 8) and an analyzer unit to analyze said ID and password and to judge whether or not to transmit said image data corresponding to said ID (paragraph 0028, the associated images are retrieved).

9. In regard to **claim 5**, note Myers discloses that the camera includes a unit to generate other image data having a resolution lower than a resolution of said photographed image data (paragraph 0019). Therefore, it can be seen that the primary device of Cohen in view of Needham and Myers lacks the transmission of said photographed image data to said server and the transmission of the other image data having the lower resolution to said portable device. Official notice is taken that the concepts and advantages of the transmission of high resolution image data to a server and the transmission of low resolution data to a portable device are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device to include the transmission of high resolution image data to a server in order to provide a central storage device to store large amounts of data for convenient user access, which can thereby reduce the storage necessary in the camera, and the transmission of low resolution data to a portable device in order to reduce the bandwidth necessary for transfer and reduce the storage necessary in the portable device.

10. In regard to **claim 6 and 17**, note Cohen discloses the use of a camera system having a portable device (figure 6c: 10" and 100c), said portable device comprising a memory unit (column 9, lines 12-43 and figure 3c: 114), and a transmitter unit automatically to transmit a capture signal to the camera without user input (column 9, lines 12-43, column 15, lines 1-30, and figure 3c: 190), said camera comprising a receiver unit to receive the capture signal from the portable device (column 9, lines 12-43 and column 15, lines 1-30), an image pick-up unit to start its image pick-up operation when receiving the capture signal (column 9, lines 12-43 and column 15, lines 1-30), and a transmitter unit (column 9, lines 12-43 and column 15, lines 1-30).

Therefore, it can be seen that Cohen fails to explicitly disclose that the memory unit stores an ID for identification of the portable device and transmitting the ID to the camera at intervals of a constant time, and the use of a server comprising a receiver unit to receive the ID and the image data from the camera, a memory unit to store information indicative of the ID and a transmission destination of the image data corresponding to the ID, and a transmitter unit to transmit the received image data to the transmission destination, and wherein the transmitter unit of the camera transmits the ID and the photographed image data to the server.

In analogous art, Needham discloses the use of a memory unit that stores an ID for identification of a device and transmitting the ID to a camera at intervals of a constant time (column 2, lines 24-35 and column 2, line 59 – column 3, line 10). Needham teaches that the use of a memory unit that stores an ID for identification of a device and transmitting the ID to a camera at intervals of a constant time is preferred in

order to increase the distance that the ID information can be read by the camera (column 2, line 59 – column 3, line 10). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Cohen device such that the memory unit stores an ID for identification of the portable device and transmitting the ID to the camera at intervals of a constant time in order to increase the distance that the ID information can be read by the camera, as suggested by Needham.

Also in analogous art, Myers discloses the use of a server (figure 1: 8) comprising a receiver unit to receive an ID and image data from the camera (paragraph 0025), a memory unit to store information indicative of the ID and a transmission destination of the image data corresponding to the ID (paragraphs 0025-0027, paragraph 0043 and figure 5), and a transmitter unit to transmit the received image data to the transmission destination (paragraph 0027, the pictures are sent based on the users information), and wherein the transmitter unit of the camera transmits the ID and the photographed image data to the server (paragraph 0023-025). Myers teaches that the transmission of the image data and ID from the camera to a server are preferred in order to allow the user to access the photographs and order prints from a remote location at a later time (paragraphs 0027-0028). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Cohen device to include the transmission of the image data and ID from the camera to a server in order to allow the user to access the photographs and order prints from a remote location at a later time, as suggested by Myers.

11. In regard to **claim 7**, note Myers discloses that said camera includes a memory unit to store said image data therein, and before transmitting said image data stores said image data in the memory unit (paragraph 0019). Therefore, it can be seen that the primary reference of Cohen in view of Needham and Myers fails to disclose that the server issues transmission permission to said camera according to predetermined conditions before transmitting the image data to the server. Official Notice is taken that the concepts and advantages of account authentication are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device to include the use of account authentication on the server to issue transmission permission to the camera according to predetermined conditions before transmitting the image data to the server in order to verify that the user has permission to access to the storage device.

12. In regard to **claim 16**, note Cohen discloses that said portable device includes a shutter unit which indicates timing to be photographed and transmits said ID to said camera according to the indication of the timing to be photographed (column 9, lines 12-43, column 15, lines 1-30; and in combination with Needham as discussed above, the capture signal is considered to include the ID).

13. In regard to **claim 19**, note Cohen discloses a user operation that stops said portable device from transmitting the capture signal to said camera at intervals of a constant time (column 7, lines 2-11, by turning off the portable device, it is considered that the transmission is stopped; and in combination with Needham as discussed above, the capture signal is considered to includes the ID).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chriss S. Yoder, III whose telephone number is (571) 272-7323. The examiner can normally be reached on M-F: 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CSY
October 24, 2007


LIN YE
SUPERVISORY PATENT EXAMINER